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5 UNITED STATES DISTRICT COURT  
6 EASTERN DISTRICT OF WASHINGTON  
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8 JEFFREY C. SALVAGE,

9 Petitioner,

NO. CV-12-078-LRS

10 vs.

ORDER DENYING MOTION FOR  
RECONSIDERATION

11  
12 JOHN DOE,

13 Respondent.  
14

15 BEFORE THE COURT is Mr. Salvage's two page document asking the court to  
16 reconsider dismissing his petition with prejudice. ECF No. 9. The Court liberally  
17 construes this document as a Motion for Reconsideration. By Order filed April 23, 2012,  
18 the Court dismissed Mr. Salvage's habeas petition for lack of personal jurisdiction over  
19 an unspecified Respondent, and as time barred under 28 U.S.C. § 2244(d). ECF No. 7.

20 Motions for reconsideration serve a limited function. "[T]he major grounds that  
21 justify reconsideration involve an intervening change of controlling law, the availability  
22 of new evidence, or the need to correct a clear error or prevent manifest injustice."  
23 *Pyramid Lake Paiute Tribe v. Hodel*, 882 F.2d 364, 369 n.5 (9th Cir. 1989). Such  
24 motions are not the proper vehicle for offering evidence or theories of law that were  
25 available to the party at the time of the initial ruling. *Fay Corp. v. Bat Holdings I, Inc.*,  
26 651 F.Supp. 307, 309 (W.D. Wash. 1987).

27 In the instant case, Petitioner has not alleged that there has been an intervening  
28 ORDER DENYING MOTION FOR RECONSIDERATION -- 1

1 change of controlling law. Likewise, he has not offered newly discovered evidence that  
2 would justify this Court re-examining the issue. Thus, the only remaining question is  
3 whether the Court should alter its prior ruling in order to "correct a clear error or prevent  
4 manifest injustice." *Pyramid Lake*, 882 F.2d at 369 n.5.

5 Although granted the opportunity to do so, Mr. Salvage has failed to demonstrate  
6 any basis to toll the federal limitations period. He presents no facts showing he  
7 diligently pursued his rights, but that extraordinary circumstances beyond his control  
8 made it impossible for him to timely file his federal habeas petition. *Holland v. Florida*,  
9 — U.S. —, —, 130 S.Ct. 2549, 2562, 177 L.Ed.2d 130 (2010). Accordingly, **IT**  
10 **IS ORDERED** that Plaintiff's Motion for Reconsideration is **DENIED**.

11 **IT IS SO ORDERED.** The District Court Executive is directed to enter this  
12 Order and forward a copy to Petitioner at his last known address. This file shall remain  
13 closed.

14 **DATED** this 19th day of June, 2012.

15  
16 *s/Lonny R. Suko*

17 LONNY R. SUKO  
18 UNITED STATES DISTRICT JUDGE  
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